

**REMARKS/ARGUMENTS**

Claims 1-11 are pending in the application and stand rejected. Claims 1-11 have been amended to more fully define the scope of the claimed invention. Support for amended claims 1-11 can be found throughout the specification and, in particular, in Figures 12(a), (b), and (c). No new matter has been added by the amended claims.

The abstract of the disclosure is objected to because it contains more than 150 words. Applicants have amended the abstract to comply with the requirements of MPEP §608.01(b) and hereby request that the objection be removed.

It was noted that a certified copy of the priority document had not yet been filed. A certified copy of the priority document is being obtained and will be submitted in due course.

Rejections Under 35 U.S.C. §102(e)

Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,963,407 to Abe et. al (hereinafter "Abe").

Claims 1-2

Amended claim 1 recites, in part, "detecting light reflected from said thin film device ... when said thin film device is at a predetermined position, a position of said thin film device being determined based on information from a position sensor and a rotation detector" and "determining a thickness of said optically transparent film at said predetermined position using information from the spectral waveform of the light thus detected." These amendments clarify that the claimed invention determines a thickness at a predetermined position during a polishing process and that the predetermined position is detected based on information from a position sensor and a rotation detector.

By contrast, Abe does not teach or suggest at least these claim elements. Instead, Abe observes that a disturbance is produced "when the irradiating light spot irradiates and measures a different position from the previous irradiation position ... due to rotation of the platen." Abe at col. 10, lines 20-24. However, Abe then concludes that this disturbance "is

generally unavoidable ... because different types of patterns are measured in different positions." Abe at col. 10, lines 24-28. Following these remarks, Abe discloses a system of fuzzy logic, based partly on experimentation, for determining the endpoint of a polishing process.

Abe's system of fuzzy logic rules is intended to account for fluctuations in measurement position due to rotation of the platen. See e.g., Abe at col. 13, lines 1-9. Thus, Abe does not require "detecting light reflected from said thin film device ... when said thin film device is at a predetermined position, a position of said thin film device being determined based on information from a position sensor and a rotation detector" or "determining a thickness of said optically transparent film at said predetermined position" as recited in amended claim 1. Amended claim 2 depends from claim 1 and is believed allowable for at least the reason that it depends from an allowable base claim. Therefore, Applicants respectfully request reconsideration and allowance of amended claims 1-2.

Claim 3-4, 10-11

Claim 3 has been amended to recite, in part, "determining a set of measurement positions on a thin film device on the basis of spectral waveform information ... irradiating white light onto an optically transparent film formed on said thin film device when said thin film device is at one of said measurement positions, a position of said thin film device being determined based on information from a position sensor and a rotation detector ... determining a thickness of said optically transparent film at said one of said measurement positions using information from the corrected spectral waveform of the reflected light; and monitoring said polishing process by performing steps (i) through (v) for one or more of said measurement positions." As explained above, Abe does not teach or suggest at least these claims elements. Amended claims 4, 10, and 11 depend from claim 3 and are believed allowable for at least the reason that they depend from an allowable base claim. Therefore, Applicants respectfully request reconsideration and allowance of amended claims 3-4 and 10-11.

Claims 5-6

Amended claim 5 recites, in part, "setting measurement positions for determining a thickness of an optically transparent film formed on the surface of a thin film device ... irradiating white light onto said optically transparent film when said thin film device is at one of said measurement positions, a position of said thin film device being determined based on information from a position sensor and a rotation detector ... determining a thickness of said optically transparent film at said one of said measurement positions on the basis of the corrected spectral waveform; and monitoring said polishing process by performing steps (i) through (v) for one or more of said measurement positions." As explained in relation to claim 1, Abe does not teach or suggest at least these elements of amended claim 5. Amended claim 6 depends from claim 5 and incorporates all of its limitations. Therefore, Applicants respectfully request reconsideration and allowance of amended claims 5-6.

Claims 7-9

Claims 7 is amended to recite, in part, "irradiating white light onto an optically transparent film formed on a thin film device when said thin film device is at a predetermined position, a position of said thin film device being determined based on information from a position sensor and a rotation detector ... determining a thickness of said optically transparent film at said predetermined position ... and monitoring said polishing process by performing steps (i) through (v) for said predetermined measurement position." As explained in relation to claim 1, Abe does not teach or suggest at least these elements of amended claim 7. Amended claims 8 and 9 depends from claim 7 and each incorporates all of these limitations. Therefore, Applicants respectfully request reconsideration and allowance of amended claims 7-9.

CONCLUSION


In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

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Examination (RCE) under 37 CFR 1.114

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



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